

The Middlebury Register.

VOLUME XVI.

MIDDLEBURY, VERMONT, WEDNESDAY MORNING, NOVEMBER 19, 1851.

NUMBER 80.

The Middlebury Register

IS PUBLISHED EVERY WEDNESDAY MORNING, BY
J. H. BARRETT & J. COBB.
OFFICE IN BRUWSTER'S BLOCK, ON MAIN-ST.

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By Mail, or at the Office, per annum, \$1.50.
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ELGIN SPRING HOUSE.

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Blessed are they that Mourn.

BY WILLIAM C. BRYANT.

Oft deem not they are blest alone
Whose lives a peaceful tenor keep;
The Power who plies man has shown
A blessing for the eyes that weep.

The light of smiles shall fill again
The lip that overflows with tears;
And weary hours of woe and pain,
Are promises of happy years.

There is a day of sunny rest
For every dark and troubled night,
And grief may hide, an evening guest,
But joy shall come with early light.

And thou, who darest friend's low dir,
Sheddest the bitter drops like rain,
Hope that a happier, brighter shore
Will give him to thy arms again.

For let the good man's trust depart,
Though life its common gift deny,
Though pleasure and broken be his heart,
And spread of men he goes to die.

For God has marked each sorrowing day,
And numbered every secret tear,
And heaven's long age of bliss shall pay
For all its children suffer here.

[From FRANK'S MAGAZINE.]

Autumn Leaves.

Oh, Autumn leaves!
Summer's bright robes one by one have past;
Gone is the beauty of the golden harvest;
You come at last,
Plovers of winter hours approaching fast!

Oh, Autumn leaves!
Why look ye thus so brilliant in decay?
Why, far the dying year when Nature grieves,
Are ye so gay
With richer hues than graceless leaf opening day?

Oh, Autumn leaves!
Ye are ye don your crimson robes of mirth,
While dull decay a moment's warce reprieves—
Your forms from earth—
Ye tell us, happier far is death than birth!

Oh, Autumn leaves!
Like you the dying soul in splendor glows;
With each faint pulse of life that feebly
Heaves—
At evening's close,
His every grace with faded glory grows.

Oh, Autumn leaves!
Like you, he casts aside all of gloom,
And of his brightening hopes a chapel weaves
That o'er his tomb
Throws the glad promise of eternal bloom.

As there is a good deal said in regard to the Maine Liquor Law, and a very vague and unwarrantable construction put upon some of its provisions. We thought our columns could not be better filled, than to publish the Law, which "speaks for itself."

The Liquor Law of the State of Maine.

AN ACT FOR THE SUPPRESSION OF DRINKING HOUSES AND TIPPING SHOPS.

Be it enacted by the Senate and House of Representatives in Legislature assembled as follows:

SECTION 1. No person shall be allowed at any time, to manufacture or sell, by himself, his clerk, servant or agent, directly or indirectly, any spirituous liquors or intoxicating liquors, or any mixed liquors, of which is spirituous or intoxicating, except as hereinafter provided.

SEC. 2. The selectmen of any town and mayor and aldermen of any city, on the first Monday of May annually, or as soon thereafter as may be convenient, may appoint some suitable person, as the agent of said town or city, to sell at some central and convenient place within said town or city, spirituous, wines, or other intoxicating liquors, to be used for medicinal and mechanical purposes, and none other; and said agent shall receive such compensation for his services as the board appointing him shall prescribe; and shall in the sale of such liquors, conform to such rules and regulations, as the selectmen or mayor and aldermen as aforesaid, shall prescribe for that purpose. And such agent, appointed as aforesaid, shall hold his situation for one year, unless sooner removed by the board from which he received his appointment; as he may be at any time, at the pleasure of such board.

SEC. 3. Such agent shall receive a certificate from the mayor and aldermen or selectmen by whom he has been appointed, authorizing him as the agent of such town or city, to sell intoxicating liquors, for medicinal and mechanical purposes only; but such certificate shall not be delivered to the person so appointed, until he shall have executed and delivered to said board, a bond with two good and sufficient sureties, in the sum of six hundred dollars, in substance as follows:

Know all men that we, as principal, and as sureties, are holden and stand firmly bound to the inhabitants of the town of (or city, as the case may be), in the sum of six hundred dollars, to be paid them, to which payment we bind ourselves, our heirs, executors and administrators, firmly by these presents. Sealed with our seals, and dated this—day of—, A. D. —.

The condition of this obligation is such, that whereas the above bondsmen—has been duly appointed an agent for the town (or city) of—to sell within, and for and on account of said town (or city,) intoxicating liquors for medicinal and mechanical purposes and no other, until—day of—, A. D.,—, unless sooner removed from said agency.

Now if the said—shall in all respects conform to the provisions of the law relating to the business for which he is appointed, and to such rules and regulations as now are or shall be from time to time established by the board making the appointment, then this obligation to be void; otherwise it shall remain in full force.

SEC. 4. If any person, by himself, clerk, servant or agent, shall at any time sell any spirituous liquors, or any mixed liquors, in violation of the provisions of this act, he shall forfeit and pay on the first conviction, ten dollars and the cost of prosecution, and shall stand committed until the same be paid; on the second conviction he shall pay twenty dollars, and the cost of prosecution, and on the third and every subsequent conviction, he shall pay twenty dollars, and the cost of prosecution, and shall be imprisoned in the common jail, not less than three months, nor more than six months, and in default of the payment of the fines and costs prescribed by this section, for the first and second convictions, the convict shall not be entitled to the benefit of chapter 173 of the revised statutes, until he shall have been imprisoned two months; and in default of payment of fines and costs provided for the third and every subsequent conviction, he shall not be entitled to the benefit of said chapter 173 of the revised statutes, until he shall have been imprisoned four months.

And if any clerk, servant, agent or other person in the employment, or on the premises of another shall violate the provisions of this section, he shall be held equally guilty with the principal, and on conviction, shall suffer the same penalty.

SEC. 5. Any forfeiture or penalty arising under the above section, may be recovered by an action of debt, or by complaint before any justice of the peace, or judge of any municipal or police court, in the county where the offence was committed. And the forfeiture so recovered, shall go to the town where the convicted party resides, for the use of the poor; and the prosecutor or complainant may be admitted as a witness in the trial. And if any one of the selectmen or board of mayor and aldermen shall approve of the commencement of any such suit, by endorsing his name upon the writ, the defendant shall in no respect recover any costs; and in all actions of debt arising under this section, the fines and forfeitures suffered by the defendant, shall be the same as if the actions had been by complaint. And it shall be the duty of the mayor and aldermen of any city, and selectmen of any town, to commence an action in behalf of said town or city, against any person guilty of a violation of any of the provisions of this act, on being informed of the same, and being furnished with proof of the fact.

SEC. 6. If any person shall claim an appeal from a judgment rendered against him by any judge or justice, on the trial of such action or complaint, he shall, before the appeal shall be allowed, to recognize in the sum of one hundred dollars, with two good and sufficient securities, in every case so appealed, to prosecute his appeal and to pay all costs, fines and penalties that may be awarded against him, upon a final disposition of such suit or complaint. And before his appeal shall be allowed, he shall also, in every case, give a bond with two good and sufficient securities, running to the town or city where the offence was committed, in the sum of two hundred dollars, that he will not, during the pendency of any such appeal, violate any of the provisions of the act. And no recognition or bond shall be taken in cases arising under this act, except by the justice or judge before whom the trial was had; and the defendant shall be held to advance the jury fees in every case of appeal in an action of debt; and in the event of a final conviction before a jury, the defendant shall pay and suffer double the amount of fines, penalties and imprisonment awarded against him by the justice or judge from whose judgment the appeal was made. The forfeiture of all bonds and recognitions given in pursuance of this act, shall go to the town or city where the offence was committed, for the use of the poor; and if the recognitions and bonds mentioned in this section shall not be given, within twenty-four hours after the judgment, the appeal shall not be allowed, the defendant in the mean time stand committed.

SEC. 7. The mayor and aldermen of any city, and the selectmen of any town, whenever complaint shall have been made to them that a breach of the conditions of the bond given by any person appointed under this act, had been committed, shall notify the person complained of, and if upon a hearing of the parties it shall appear that any breach has been committed, they shall revoke and make void his appointment. And whenever a breach of any bond given to the inhabitants of any city or town in pursuance of any of the provisions of this act, shall be made known to the mayor and aldermen, or selectmen, or shall in any manner come to their knowledge, they or some one of them shall, at the expense and for the use of said city or town, cause the bond to be put in suit in any court proper to try the same.

SEC. 8. No person shall be allowed to be a manufacturer of any spirituous or intoxicating liquors, or a common seller thereof, without being duly appointed as aforesaid, on pain of forfeiting on the first conviction, the sum of one hundred dollars, and costs of prosecution, and in default of the payment thereof, the person so convicted shall be imprisoned sixty days in the common jail; and on the second conviction, the person so convicted shall pay the sum of two hundred dollars and the costs of prosecution, and in default of payments shall be imprisoned four months in the common jail; and on the third and every subsequent conviction, shall pay the sum of two hundred dollars, and shall be imprisoned four months in the common jail of the county, where the offence was committed; and penalties to be recovered before any court of competent jurisdiction, by indictment, or by action of debt in the name of the city or town where the offence shall be committed. And whenever a default shall be had of any recognition, arising under this act, seizure facias shall be issued, returnable at the next term, and the same shall not be continued, unless for good cause satisfactory to the court.

SEC. 9. No person engaged in the unlawful traffic in intoxicating liquors shall be competent to sit upon any jury in any case arising under this act; and when information shall be communicated to the court, that any member of any panel is engaged in such traffic, or that he is believed to be so engaged, the court shall be obliged to disqualify him, and no member who shall make shall be used against him in any case arising under this act; but if he shall answer falsely, he shall be incapable of serving on any jury in this state; but he may decline to answer, in which case he shall be discharged by the court from all further attendance as a jurymen.

(Concluded next week.)

From the Paraphrase.

The Lake Gun.

[Paraphrased.]

"Sago," said Fuller, drawing near to the young Indian, who did not betray surprise or emotion of any sort, as the stranger's foot-fall came unexpectedly on his ear, adding the salutation of courtesy, as it is so generally practiced between the two races. The Indian threw forward an arm with dignity, but maintained his erect and otherwise immovable attitude.

"Oneida!" demanded Fuller, while he doubted if any young warrior of that half-subdued tribe could retain so completely the air and mien of the great forests and distant prairie.

"Seneca," was the simple answer. The word was uttered in a tone so low and melancholy—that it sounded like a sad and unmelancholy. Nothing that Fuller had ever before heard conveyed so much meaning so simple, and in so few syllables. It illuminated the long vista of the past, and cast a gloomy shadow into that of the future, alluding to a people driven from their haunts, never to find another resting-place on earth. That this young warrior so meant, to express himself—not in an attempt to extort sympathy, but in the noble simplicity of a heart depressed by the fall of his race—Fuller could not doubt; and every generous feeling of his soul was enlisted in behalf of this young Indian.

"Seneca," he repeated slowly, dropping his voice to something like the soft tones of the other, "then you are in your own country, answered the red man, coldly, "no; my father's country, yes."

His English was good, denoting more than a common education, though it had a slightly foreign or peculiar accent. The intonations of his voice were decidedly those of the noble Indians.

"You have come to visit the land of your fathers?"

A slight wave of the hand was the reply. All this time, the young Seneca kept his eye fastened in one direction, apparently regarding some object in the lake. Fuller could see nothing to attract this nearly riveted gaze, though curiosity induced him to make the effort.

ten dollars and the cost of prosecution, and shall stand committed until the same be paid; on the second conviction he shall pay twenty dollars, and the cost of prosecution, and on the third and every subsequent conviction, he shall pay twenty dollars, and the cost of prosecution, and shall be imprisoned in the common jail, not less than three months, nor more than six months, and in default of the payment of the fines and costs prescribed by this section, for the first and second convictions, the convict shall not be entitled to the benefit of chapter 173 of the revised statutes, until he shall have been imprisoned two months; and in default of payment of fines and costs provided for the third and every subsequent conviction, he shall not be entitled to the benefit of said chapter 173 of the revised statutes, until he shall have been imprisoned four months.

And if any clerk, servant, agent or other person in the employment, or on the premises of another shall violate the provisions of this section, he shall be held equally guilty with the principal, and on conviction, shall suffer the same penalty.

SEC. 5. Any forfeiture or penalty arising under the above section, may be recovered by an action of debt, or by complaint before any justice of the peace, or judge of any municipal or police court, in the county where the offence was committed. And the forfeiture so recovered, shall go to the town where the convicted party resides, for the use of the poor; and the prosecutor or complainant may be admitted as a witness in the trial. And if any one of the selectmen or board of mayor and aldermen shall approve of the commencement of any such suit, by endorsing his name upon the writ, the defendant shall in no respect recover any costs; and in all actions of debt arising under this section, the fines and forfeitures suffered by the defendant, shall be the same as if the actions had been by complaint. And it shall be the duty of the mayor and aldermen of any city, and selectmen of any town, to commence an action in behalf of said town or city, against any person guilty of a violation of any of the provisions of this act, on being informed of the same, and being furnished with proof of the fact.

SEC. 6. If any person shall claim an appeal from a judgment rendered against him by any judge or justice, on the trial of such action or complaint, he shall, before the appeal shall be allowed, to recognize in the sum of one hundred dollars, with two good and sufficient securities, in every case so appealed, to prosecute his appeal and to pay all costs, fines